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FEB 18 1999

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

FILED
FEB 18 1999
BY *dh*

UNITED STATES OF AMERICA §
ex rel. J. BENJAMIN JOHNSON,
JR., et al. §

V. § CIVIL ACTION NO. 9:96 CV 66

SHELL OIL COMPANY, et al. §

REVISED SCHEDULING ORDER

On the joint motion of the United States of America and the defendants, the Case Management Order entered on July 22, 1998, is hereby amended as follows:

- a.) BP, Unocal, and non-Government defendants shall start disclosures pursuant to paragraph 3.i of the Case Management Order on February 22, 1999.
- b.) The deadline for the United States, Relators, and all Government defendants, except BP and Unocal, to complete disclosures pursuant to paragraph 3.i of the Case Management Order is March 15, 1999.
- c.) The deadline for BP, Unocal, and non-Government defendants to complete disclosures pursuant to paragraph 3.i of the Case Management Order is April 15, 1999.
- d.) On March 1, 1999, the parties may commence taking further fact witness

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depositions. Prior to noticing any depositions, 1.) plaintiffs shall coordinate among themselves and shall serve on Lead Counsel for defendants on a rolling basis a schedule for each group of depositions plaintiffs intend to imminently notice, and 2.) defendants shall coordinate among themselves and shall serve on Plaintiffs' Lead Counsel on a rolling basis a schedule for each group of depositions defendants intend to imminently notice.

e.) The deadline for plaintiffs to make their local Rule CV-26(c) expert disclosures is August 2, 1999.

f.) The deadline for defendants to make their local Rule CV-26(c) expert disclosures is October 1, 1999.

g.) The deadline for defendants' expert rebuttal disclosures is October 21, 1999.

h.) Parties may commence taking depositions of experts on August 15, 1999. Prior to noticing any expert depositions, counsel for plaintiffs and defendants shall have coordinated among themselves and served on the opponents' Lead Counsel a schedule of dates for the experts to be deposed.

i.) The deadline for completion of discovery, including, but not limited to, factual depositions and expert depositions is December 10, 1999.

j.) The deadline for filing motions to dismiss, motions for summary

judgment, and Daubert motions is January 10, 2000.

k.) Responses to the above motions filed on January 10, 2000 are due February 4, 2000.

l.) The deadline for each party to file its Local Rule 26(d)(1) pretrial disclosure is February 8, 2000. Such disclosure shall include: (1) a list of that party's witnesses by name, in alphabetical order according to the last name, with a brief description of the subject matter for which the witness is offered; (2) the page and line designations to any transcript the party will offer into evidence at trial; and (3) a list of the transcripts they may offer at trial and each party's designations to the transcripts the party may offer at trial.

m.) Each party must make available copies of that party's premarked exhibits by February 22, 2000. Additionally, 1.) each exhibit shall be marked with the name of the party and the party's number for the exhibit, 2.) each party shall file proposed jury instructions and motions in limine, and 3.) the parties shall submit a joint pretrial order.


n.) The final pretrial conference shall be held on March 8, 2000 at 8:30 a.m.

o.) The parties shall be ready for trial on all issues, subject to further orders of the court, on March 15, 2000.

It is further ORDERED that the Attachment B Case Management

Order Deposition Guidelines are amended pursuant to Local Rule CV-30 to provide as follows: 1.) each fact-witness deposition is authorized to last up to, but not exceeding nine (9) hours; 2.) each Rule 30(b)(6) deposition of a party is authorized to last up to, but not exceeding, twenty-four (24) total hours; 3.) each expert-witness deposition is authorized to last up to, but not exceeding, twenty-four (24) total hours.

SO ORDERED this 16th day of February, 1999.


JOHN HANNAH, JR.
UNITED STATES DISTRICT JUDGE